

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ZULEIMA RUBEO-VILCHIS,

Plaintiff,

v.

EDGAR AGUILAR HERRERA,

Defendant.

Case No. 3:25-CV-00315-ART-CLB

ORDER ADOPTING REPORT AND
RECOMMENDATION (ECF No. 6)

Plaintiff Zuleima Rubeo-Vilchis brings this action against Defendant Edgar Aguilar Herrera, asserting a claim under the International Child Abductions Remedies Act (“ICARA”). Before the Court is Magistrate Judge Carla Baldwin’s Report and Recommendation (R&R) (ECF No. 6) recommending granting Plaintiff’s IFP application, filing the case, dismissing the complaint without prejudice, and closing the case. The Court grants the R&R in full.

Magistrate judges are empowered to issue reports and recommendations on dispositive issues, which district judges may “accept, reject, or modify, in whole or in part.” 28 U.S.C. § 636(b)(1)(C). Where, as here, neither party objects to a magistrate judge's recommendation, the district court is not required to perform any review of that judge's conclusions. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985).

Judge Baldwin held that ICARA allows for claims to be filed in a court having jurisdiction where the child is located. (*See* ECF No. 6 at 4.) Plaintiff alleged that Defendant has moved her children to Mexico. (*Id.*) This Court, accordingly, lacks jurisdiction to hear the claim. (*Id.*)

Plaintiff has not objected to Judge Baldwin’s R&R, and her time to do so has now expired. The Court agrees with Judge Baldwin’s reasoning and adopts her R&R in full.

Conclusion

It is therefore ordered that Judge Baldwin's report and recommendation (ECF No. 6) be adopted.

It is further ordered that Plaintiff's application to proceed *in forma pauperis* is granted.

It is further ordered that the Clerk file Plaintiff's complaint.

It is further ordered that Plaintiff's complaint (ECF No. 1-1) be dismissed without prejudice and that the case be closed.

DATED: July 15, 2025

A handwritten signature in black ink, appearing to read "Anne R. Traum", is written over a horizontal line.

ANNE R. TRAUM
UNITED STATES DISTRICT JUDGE